

REMARKS

Claims 1-21 are pending in Application Serial No. 10/533,180 filed on April 29, 2005. A fourth Office Action was mailed on January 11, 2010.

In the fourth Office Action, the Examiner rejected Claims 1-15, 17 and 19-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 16 and 18 were allowed by the Examiner.

Based on the foregoing amendments and the remarks set forth below, it is believed that the Examiner's rejections under 35 U.S.C. §112, second paragraph, have been overcome and Claims 1-21 are now in condition for allowance.

REJECTIONS UNDER 35 U.S.C. §112

The Examiner rejected Claims 1-15, 17 and 19-21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

More particularly, the Examiner rejected Claims 2-10, 12-15, 17 and 19-21 for reciting the limitation "a method" in line 1 of all the claims as there was insufficient antecedent basis for the claims. Applicant has amended Claims 2-10, 12-15, 17 and 19-21 to recite "the method" in place of "a method" as proposed by the Examiner. Applicant respectfully submits that Claims 2-10, 12-15, 17 and 19-21 are now in condition for allowance.

The Examiner rejected Claims 1, 2, 8, 11 and 17 for reciting "suitable" because the Examiner stated it was unclear what was suitable versus what was not suitable. Applicant has amended Claims 1, 2, 8, 11 and 17 to more particularly point out and distinctly claim

Applicant's invention. Applicant respectfully submits that Claims 1, 2, 8, 11 and 17 are now in condition for allowance.

The Examiner rejected Claim 3 for reciting "a transport system/infrastructure of the cane sugar mill" as being vague and indefinite because it was unclear what was a transport system/infrastructure and what was not a transport system/infrastructure. Applicant has amended Claim 3 in order to clarify the claim. Applicant respectfully submits that Claim 3 is now in condition for allowance.

The Examiner rejected Claim 21 for reciting the phrase "as hereinbefore defined" as being vague and indefinite. Applicant has amended Claim 21 to delete the subject phrase. Applicant respectfully submits that Claim 21 is now in condition for allowance.

In view of the above, it is submitted that the claims now are in condition for allowance, and reconsideration of the rejections is respectfully requested and allowance of Claims 1-21 at an early date is hereby respectfully solicited.

Respectfully submitted,

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